

114TH CONGRESS
1ST SESSION

H. R. 320

To establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime and reduce the current DNA analysis backlog.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 13, 2015

Mr. SENSENBRENNER (for himself and Mr. SWALWELL of California) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime and reduce the current DNA analysis backlog.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Rapid DNA Act of
5 2015”.

6 **SEC. 2. DEFINITIONS.**

7 The DNA Identification Act of 1994 (42 U.S.C.
8 14132) is amended by inserting at the end the following:

1 **“SEC. ____ . DEFINITIONS.**

2 “(1) The term ‘reference DNA sample’ means
3 a tissue, fluid, or other bodily sample of an indi-
4 vidual on which a DNA analysis can be carried out.

5 “(2) The term ‘DNA analysis’ means analysis
6 of the deoxyribonucleic acid (DNA) identification in-
7 formation from a bodily sample.

8 “(3) The term ‘sample-to-answer DNA analysis
9 systems’ means fully automated systems that after
10 input of a DNA sample can perform all necessary
11 sample preparation and analysis with no operator
12 intervention.

13 “(4) The term ‘qualified agencies’ means book-
14 ing stations, jails, prisons, detention centers, other
15 law enforcement organizations, and facilities outside
16 of forensic laboratories that can perform DNA anal-
17 ysis using sample-to-answer DNA systems on sub-
18 jects meeting current legislative guidelines.

19 “(5) The term ‘operators’ means persons
20 trained to operate a sample-to-answer DNA sys-
21 tem.”.

22 **SEC. 3. REVISED QUALITY ASSURANCE AND PROFICIENCY**
23 **TESTING STANDARDS.**

24 Section 210303 of the DNA Identification Act of
25 1994 (42 U.S.C. 14131) is amended—

1 (1) in subsection (a)(1)(B), by inserting after
2 “Technology” the following: “, and members from
3 Federal, State, and local law enforcement agencies.”;

4 (2) in subsection (a)(1)(C), by inserting after
5 “DNA” the following: “and separate standards for
6 testing the proficiency of qualified agencies, and op-
7 erators, in conducting analyses of DNA samples
8 using sample-to-answer DNA analysis systems.”;

9 (3) in subsection (a)(2), by inserting after
10 “DNA” the following: “DNA and separate stand-
11 ards for testing the proficiency of qualified agencies,
12 and operators, in conducting analyses of DNA sam-
13 ples using sample-to-answer DNA analysis sys-
14 tems.”;

15 (4) in subsection (a)(3), by inserting after
16 “used by forensic laboratories” the following: “and
17 by qualified agencies conducting analyses of DNA
18 samples using sample-to-answer DNA analysis sys-
19 tems.”; and by inserting after “determine whether a
20 laboratory” the following: “, or agency,”;

21 (5) in subsection (a)(4), by inserting after “for
22 purposes of this section” the following: “, and for
23 qualified agencies the quality assurance guidelines
24 recommended by the scientific working group on
25 DNA analysis methods.”;

1 (6) in subsection (c)(1)(A), by inserting after
 2 “forensic DNA analyses” the following: “; and quali-
 3 fied agencies conducting analyses of DNA samples
 4 using sample-to-answer DNA analysis systems.”;

5 (7) in subsection (c)(1)(B), by inserting after
 6 “forensic DNA analyses” the following: “; and for
 7 qualified agencies conducting analyses of DNA sam-
 8 ples using sample-to-answer DNA analysis sys-
 9 tems.”;

10 (8) in subsection (c)(1)(C), by inserting after
 11 “forensic DNA analyses” the following: “; and quali-
 12 fied agencies conducting analyses of DNA samples
 13 using sample-to-answer DNA analysis systems.”;
 14 and

15 (9) in subsection (c)(2), by inserting after “rou-
 16 tine evidence” the following: “; and for qualified
 17 agencies the term ‘blind external proficiency test’
 18 means a test that is presented to qualified agencies
 19 through a second agency and appears to the oper-
 20 ator to involve routine DNA samples for sample-to-
 21 answer DNA analysis systems.”.

22 **SEC. 4. QUALIFYING AGENCIES.**

23 Section 210304 of the DNA Identification Act of
 24 1994 (42 U.S.C. 14132) is amended—

1 (1) in subsection (b)(2), by inserting after “lab-
2 oratories” the following: “or qualified agencies”;

3 (2) in subsection (b)(2)(A), by striking “; and”
4 at the end and inserting a semicolon; and

5 (3) in subsection (b)(2), by inserting the fol-
6 lowing new subparagraph:

7 “(C) are a qualifying agency engaged in
8 the intake, processing, booking, detention, or
9 incarceration of individuals charged or con-
10 victed of qualifying offenses and the analysis of
11 DNA samples is conducted on a sample-to-an-
12 swer DNA analysis system; and”.

13 **SEC. 5. DISTRICT OF COLUMBIA DNA ANALYSIS.**

14 Section _____ of the DNA Identification Act of
15 1994 (42 U.S.C. 14135b) is amended in subsection (b),
16 by inserting after “the DNA shall be analyzed” the fol-
17 lowing: “on a sample-to-answer DNA analysis system”.

○